

## **Employment and Certificate Information**

## MINIMUM STANDARDS FOR EMPLOYMENT

### Commission Regulation 1002

(a) Every peace officer employed by a department shall be selected in conformance with the following requirements:

- (1) Felony Conviction. Government Code section 1029: Limits employment of convicted felons.
- (2) Fingerprint and Record Check. Government Code sections 1030 and 1031(c): Requires fingerprinting and search of local, state, and national files to reveal any criminal records.
- (3) Citizenship. Government Code sections 1031(a) and 1031.5: Specifies citizenship requirements for peace officers. Government Code section 24103 specifies citizenship requirements for deputy sheriffs and deputy marshals.
- (4) Age. Government Code section 1031(b): Requires minimum age of 18 years for peace officer employment.
- (5) Moral Character. Government Code section 1031(d): Requires good moral character as determined by a thorough background investigation.

The background investigation shall be conducted as prescribed in the POST Administrative Manual, Section C-1. The background investigation shall be completed on or prior to the appointment date.

- (6) Education. Government Code section 1031(e): Requires high school graduation, passage of the General Education Development Test (GED) or attainment of a two-year or four-year degree from an accredited college or university.

When the GED is used, a minimum overall score of not less than 45, and a standard score of not less than 35 on any section of the test, as established by the American Council on Education, shall be attained.

Per Education Code Section 48412, passage of the California High School Proficiency Examination is the legal equivalent of attainment of a California high school diploma.

- (7) Medical and Psychological Suitability Examinations. Government Code section 1031(f): Requires an examination of physical, emotional, and mental conditions.

The examinations shall be conducted as prescribed in the POST Administrative Manual, section C-2.

- (8) Interview. Be personally interviewed prior to employment by the department head or a representative(s) to determine the person's suitability for law enforcement service, which includes, but is not limited to, the person's appearance, personality, maturity, temperament, background, and ability to communicate. This regulation may be satisfied by an employee of the department participating as a member of the person's oral interview panel.
  - (9) Reading and Writing Ability. Be able to read and write at the levels necessary to perform the job of a peace officer as determined by the use of the POST Entry-Level Law Enforcement Test Battery or other job-related tests of reading and writing ability.
- b) All requirements of section 1002 of the Regulations shall apply to each lateral entrant, regardless of the rank to which the person is appointed, unless waived by the Commission.

## **IMMIGRATION AND PEACE OFFICER CITIZENSHIP REQUIREMENTS**

### **U. S. Immigration**

An alien who wishes to immigrate to the United States must obtain a permanent resident alien visa issued by a U. S. consular official.

To enter the United States with this visa, an alien must qualify under one of six categories of preference listed in the law (e.g., offspring and siblings of U. S. citizens, spouses and unmarried offspring of permanent resident aliens, members of the professions/or persons with exceptional ability in the sciences or arts, laborers for which a shortage exists in the U. S.), or qualify in the non-preference, special immigrant, or immediate relative category. Only a percentage of visas granted can be issued to aliens qualifying under each preference.

Federal law specifies that a permanent resident alien shall have lived in the United States for a minimum of five years before being eligible to apply for citizenship.

### **Labor Certifications**

An alien must obtain a labor certification in specified preference categories, from the Secretary of Labor, establishing that: (a) there are not sufficient able, willing, qualified, and available workers where the alien is to perform the skilled or unskilled labor; and (b) the employment of the alien will not adversely affect the wages and working conditions of workers in the United States similarly employed.

### **California Citizenship Requirements**

California Government Code Section 1031(a) states that a peace officer shall be a citizen of the United States or a permanent resident alien who is eligible for and has applied for citizenship.

California Government Code Section 1031.5 states in part that for an alien to be eligible for peace officer employment, he/she is subject to the following:

- Any permanent resident alien who is employed as a peace officer shall diligently cooperate with the Immigration and Naturalization Service in the processing of his or her application for citizenship and shall be disqualified from holding that position if, three years after the filing of an application for employment, the person has not obtained citizenship due to failure to cooperate in the processing of the application for citizenship.
- Any permanent resident alien who is employed as a peace officer shall be disqualified from holding that position if his or her application for citizenship is denied.



## **POST CERTIFICATE PROGRAM**

The Commission awards peace officers professional certificates in recognition of achievement of education, training, and experience. The purpose of this program is to raise the level of competence of law enforcement officers, and to foster cooperation between the Commission, agencies, groups, organizations, jurisdictions, and individuals.

Qualified peace officers currently employed by POST-participating agencies apply for POST certificates through their employing agencies. The Commission awards six professional certificates in regular and specialized categories: Basic, Intermediate, Advanced, Supervisory, Management, and Executive certificates. Eligible reserve officers and public safety complaint dispatchers and records supervisors may apply for their respective certificates through their POST Program member agencies.

The POST Basic Certificate is the first certificate peace officers can earn, and is mandated by law and/or POST regulations. To be eligible for this certificate, peace officers must complete the required training and the employing agencies must attest that the officers have completed the agency's probationary period.

The Intermediate and Advanced Certificates may be awarded as peace officers achieve additional training, education, and experience. As officers advance in rank, the Supervisory, Management, and Executive Certificates may be awarded upon completion of the required rank tenure, specified training course, college education, and possession of, or eligibility to possess, a prerequisite certificate.

The Reserve Officer Certificate may be awarded to reserve officers who meet specified training, job assignment, and general law enforcement experience requirements.

The Public Safety Dispatcher Certificate may be issued upon completion of the required training and agency probationary period.

The Records Supervisor Certificate may be issued upon completion of the required training and experience requirements.

Some agencies use possession of professional certificates as a selection criteria for lateral entry, promotion, and pay incentives.